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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S OBJECTION
TO SPECIAL MASTER'S
MONITORING AND VERIFICATION
PROTOCOL (DKT. 462)**

1 Uber and Ottomotto (“Uber”) appreciate the Special Master’s effort to craft the
 2 monitoring and verification protocol. Uber agrees with the protocol, with one exception. Uber
 3 objects to the Special Master’s proposal in Section III that notification extend to “any people or
 4 entities who supply any products or services related in any way to the development, research, or
 5 use of LiDAR *or self-driving vehicles*”¹ and “any people or entities who purchase or otherwise
 6 obtain from Defendants products or services related in any way to the development, research, or
 7 use of LiDAR *or self-driving vehicles*.” (Dkt. 462 at 4:22-26 (emphasis added).) The Court’s
 8 Order relates only to LiDAR and paragraph 3 of the Order requires notification only insofar as to
 9 prevent “communication on the subject of LiDAR.” (Order at 23.) A requirement for notification
 10 of suppliers of self-driving vehicles and users of self-driving vehicles is overbroad and
 11 unnecessary. Such a requirement would encompass suppliers of unrelated technologies and
 12 products such as cameras, sensors, and even cars. Because Waymo’s asserted trade secrets and
 13 the Court’s Order are limited to LiDAR, Uber respectfully requests that the Special Master’s
 14 proposal be amended to omit “self-driving vehicles.”

15 After discussing this issue with the Special Master this morning, Waymo confirmed they
 16 have no objection to deleting the language referring to “self-driving vehicles.” (See Ex. 1.)

17 Dated: May 19, 2017

MORRISON & FOERSTER LLP

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 19 By: /s/ Arturo J. González
 ARTURO J. GONZÁLEZ

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 21 UBER TECHNOLOGIES, INC.
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27 _____
 28 ¹ The Special Master’s proposed order uses “self-driving automobiles,” but he
 subsequently clarified that he means vehicles, including trucks.